

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 3412 - SB 3739

February 29, 2012

SUMMARY OF BILL: Prohibits a vendor of electronic medical record services from entering into or renewing any contract or agreement, on or after January 1, 2013, with any health care provider or a health facility that requires the holding harmless or the indemnification of the vendor by any such provider or facility for any liability for any electronic medical record services which the vendor provides due to any claim arising out of, caused by, or resulting from the vendor's services or which prohibits an action against a vendor in a court of competent jurisdiction in Tennessee.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The Commissioner of the Department of Health and the Board for Licensing Health Care Facilities will promulgate rules to effectuate the purposes of this bill. Rulemaking can be accomplished during regularly scheduled meetings and can be accommodated within existing budgetary resources.
- Any additional regulatory duties and subsequent disciplinary actions against providers and facilities that violate the provisions of this bill will not result in a significant increase in state expenditures and can be accommodated within existing resources.
- Pursuant to Tenn. Code Ann. § 68-11-216, the Board for Licensing Health Care Facilities is required to be self-supporting. As of June 30, 2011, the Board had a balance of \$594,768.55.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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